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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Doreen Brown, Louella Stanton, Eldon  
Brown, Dwight Brown, Elena Loya, Elisa  
Dick, Lovelle Brown, Kevin Dick, & Leslie  
Smartt Jr.,

Plaintiffs,

v.

Deb Haaland, Secretary, United States  
Department of the Interior, in her official  
capacity; Bryan Newland, United States  
Department of Interior, Assistant Secretary of  
Indian Affairs, in his official capacity; Darryl  
Lacounte, Director of the Bureau of Indian  
Affairs, in his official capacity; Rachel  
Larson, Superintendent of the Western  
Region, Bureau of Indian Affairs, in her  
official capacity; and the United States  
Department of Interior, Bureau of Indian  
Affairs,

Defendants.

Case No. 3:21-cv-00344-MMD-CLB

**SCHEDULING ORDER**

Pursuant to the Court's October 25, 2022 Minute Order (ECF No. 81), the parties met and conferred and jointly propose the following scheduling order to govern summary judgment briefing and this Court's consideration of the case:

**A. PROPOSED SCHEDULE FOR PRODUCTION OF THE ADMINISTRATIVE RECORD AND BRIEFING ON THE MERITS.**

The parties assert that this case is brought pursuant to the Administrative Procedures Act and should be resolved on cross-motions for summary judgment based on the agency's administrative record, in accordance with Local Rule 16-1(c)(1). The parties jointly propose the following schedule:

1. Defendants shall serve the administrative record on all parties no later than January 15, 2023.
2. After Defendants serve the administrative record on all parties, the parties will endeavor to resolve any outstanding issues or disputes regarding the content of the administrative record. The parties agree to meet and confer regarding any record disputes on or before February 14, 2023.
3. Plaintiffs and/or Intervenors shall file any motions objecting to the content of the administrative record or any motion seeking to supplement the record on or before March 14, 2023. Any such motion, if filed, will delay the parties' briefing schedule proposed in paragraph 4 below. Under such circumstances, the parties agree to the alternative briefing schedule set forth in paragraph 5, following the Court's order resolving any such motions.
4. If no motions related to the administrative record are filed:
  - a. Defendant shall file the administrative record with the Court no later than April 14, 2023.
  - b. Plaintiffs shall file their motion for summary judgment and brief in support of their motion for summary judgment no later than May 14, 2023.
  - c. Defendants and Intervenors shall file their separate cross-motions for summary judgment (combined with their opposition to Plaintiff's motion) by no later than June 14, 2023.

- d. Plaintiffs shall file their combined opposition to Defendants' and Intervenor's motions for summary judgment and reply in support of their motion for summary judgment by no later than July 14, 2023.
    - e. Defendants and Intervenor's shall file their separate replies in support of their motions for summary judgment by no later than August 14, 2023.
  5. If motions related to the administrative record are filed:
    - a. Any opposition to such motion shall be filed by no later than March 14, 2022.
    - b. Any reply in support of such motion shall be filed no later than March 21, 2022.
    - c. The parties respectfully request that the Court set a time for any hearing on such a motion.
    - d. Plaintiffs shall file their motion for summary judgment and brief in support of their motion for summary judgment by no later than 30 days after the Court's order on any motion relating to the administrative record.
    - e. Defendants and Intervenor's shall file their separate cross-motions for summary judgment (combined with their oppositions to Plaintiffs' motion) by no later than 30 days after Plaintiffs' motion is filed.
    - f. Plaintiffs shall file their combined oppositions to Defendants' and Intervenor's motions for summary judgment and reply in support of their motion for summary judgment by no later than 30 days after Defendants' and Intervenor's motions are filed.

g. Defendants and Intervenors shall file their separate replies in support of their motions for summary judgment no later than 30 days after Plaintiffs' opposition is filed.

Respectfully submitted this 7th day of November, 2022.

NEVADA LEGAL SERVICES, INC.

/s/ Jim Salvator

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IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

November 7, 2022

DATE